



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 7541

W. MARHOFER et al.

Art Unit: 1725

Application No.: 10/671,769

Examiner: Kevin Kerns

Filed: September 29, 2003

Attorney Dkt. No.: 100570-00037

For: EXTERNAL PIPE WELDING APPARATUS

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Director of the U.S. PTO  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 12, 2005

Sir:

Petitioner, **O.J. PIPELINES CANADA**, having its place of business at 1409-4<sup>TH</sup> Street, Nisku, Alberta, Canada, T9E 7M9, represents that it is the assignee and owner of all right, title and interest in and to U. S. Patent Application Serial No. **10/671,769**, filed **September 29, 2003**, for **EXTERNAL PIPE WELDING APPARATUS**, the assignment for the application being recorded in the Patent and Trademark Office on December 26, 2001 at Reel 012398, Frame 0357. Petitioner is also the assignee of all right, title, and interest in and to U. S. Patent No. **6,657,161**, filed September 24, 2001, for **EXTERNAL PIPE WELDING APPARATUS**, the assignment for this application being recorded in the Patent and Trademark Office on December 26, 2001 at Reel 012398, Frame 0357.

Petitioner hereby disclaims the terminal part, if any, of any patent granted on application Serial No. **10/671,769**, which would extend beyond the expiration date of U.S. Patent No. **6,657,161** issued **December 2, 2003**, and hereby agrees that any patent so granted on application Serial No. **10/671,769** shall be enforceable only during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent No.

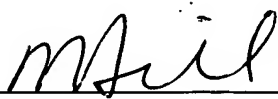
**6,657,161**, this agreement to run with any patent granted on application Serial No. **10/671,769**, and to be binding on its grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. **6,657,161** in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned on behalf of petitioner, **O. J. PIPELINES CANADA**, hereby states and declares that I have the authority to execute this Terminal Disclaimer on behalf of the petitioner.

Respectfully submitted,

For: **O. J. PIPELINES CANADA**

By:   
Rustan J. Hill  
Attorney for Petitioner  
Reg. No. 37,351

Date: May 12, 2005